

**Policy Advisory Committee
MINUTES
Friday, November 8, 2019
10:00 AM**

Members Present

Teresa Gallavan, City of Selma
Luke Serpa, City of Clovis
Jim Schaad, City of Fresno
Nicole Zieba, City of Reedley
Tim Chapa, City of Sanger
Matt Flood, City of San Joaquin (via phone)
Michael Navarro, Caltrans
Tony Boren, Fresno COG

The meeting was called to order at 10:10 a.m. by Mr. Rousseau (Fresno County), Chair. With six members present, there was a quorum to conduct business.

I. TRANSPORTATION CONSENT ITEMS

- A. Executive Minutes of October 11, 2019 [APPROVE]
- B. First Quarterly Work Element and Financial Report (Les Beshears) [APPROVE]
- C. 2020 Annual Fresno COG Meeting Calendar [APPROVE]
- D. Circuit Planner and Engineer Program – Update on Current Tasks (Meg Prince) [INFORMATION]
- E. HCD Framework for Prohousing Designations and Early Action Planning Grants (Meg Prince) [INFORMATION]
- F. 2019-20 Congestion Mitigation and Air Quality (CMAQ) Cycle Update (Braden Duran) [INFORMATION]
- G. Innovative Coordinated Access and Mobility (Mobility for All) Pilot Program (Trai Her-Cole) [INFORMATION]

After an opportunity for public comment, Mr. Schaad (Fresno City) motioned and Mr. Serpa (Clovis) seconded to approve the consent agenda as presented. The motion passed.

II. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. SB 743 Guideline Development -VMT Threshold (Seth Scott) [INFORMATION]

Mr. Scott (FCOG) reported that Senate Bill 743 (SB 743) requires level of service (LOS) be replaced with vehicle miles traveled (VMT) as the performance metric in transportation impact analyses for the California Environmental Quality Act (CEQA) process. This shift will bring profound changes to how local governments and other lead agencies approve land use and transportation projects, considering that the primary goal is to encourage urban infill development and discourage sprawl.

SB 743 will take effect statewide on July 1, 2020. Fresno COG is leading an effort to develop regional guidelines to assist the member agencies. The guidelines can be adapted by local jurisdictions as they see fit and are strictly advisory. The recommendations in the guidelines will need to be approved or adopted by each of the jurisdictions' city councils or the Board of Supervisors to become effective.

Fresno COG's SB 743 process was launched in August, and a VMT baseline for each jurisdiction now being developed. The cities/County will have the choice of setting their own VMT thresholds based on the baseline and the regional VMT. Preliminary VMT numbers were reviewed at the Technical Committee meeting on October 28; however, only four out of the 16 jurisdictions participated and provided comments. It is critical the member agencies be involved in the process and provide feedback on the recommendations. The next SB 743 Technical Committee meeting will be held at 2 p.m. November

20th. VMT recommendations will be further discussed and attendance from all the member jurisdictions is strongly encouraged.

This item was informational only; no further action was required

B. Regional Transportation Improvement Program (RTIP) Submittal Resolution 2019-34 (Jennifer Soliz) [APPROVE]

Ms. Soliz (FCOG) reported that the California Transportation Commission (CTC) adopts a new State Transportation Improvement Program (STIP) every two years. The STIP is a five-year capital improvement program of transportation projects on and off the state highway system, funded with revenues from the State Highway Account and other funding sources. As part of the STIP development process, each region is required to produce a Regional Transportation Improvement Program (RTIP), which comprises regional priorities for 75 percent of the funding in the STIP. Concurrent with the RTIP development at the regional level, Caltrans is required to produce the Interregional Transportation Improvement Program (ITIP) for the remaining 25 percent of STIP funding. The ITIP comprises interregional priorities set by Caltrans in collaboration with the regions. Caltrans merges the regions' RTIPs and Caltrans' ITIP into the statewide document, the STIP, and submits it to the CTC for approval.

The 2020 STIP fund estimate provided limited new capacity in FY 2023-24 and FY 2024-25, and overall STIP capacity is significantly lower than initially envisioned under the new funding that SB 1 provides. The Fresno region currently has \$36.9 million in unprogrammed balances, while its target through FY 2024-25 is \$12.4 million.

Fresno COG's RTIP is dedicated to the region's priorities as listed in the Measure C Expenditure Plan approved by voters in 2006. The Fresno region has a long standing policy of leveraging state and federal funding on major transportation improvements by partnering those resources with our half cent regional sales tax- Measure C. The Fresno COG 2020 RTIP submittal programs \$49.2 million in STIP county shares, bringing the Fresno region's total to \$75.4 million. The STIP priorities for our region, were adopted by the Fresno COG Policy Board at their September 26, 2020, meeting.

Staff's intent for the 2020 RTIP will be to continue delivering the South Fresno Interchange Project, while carrying over the other projects previously programmed. RTIP project funding is detailed on the attached programming document. Project are as follows:

State Route (SR) 180 W – Freeway landscaping:
SR 41 Excelsior Expressway
Veterans Blvd
South Fresno Interchange
Planning, Programming, & Monitoring

After an opportunity for public comment, Mr. Schaad (Fresno City) motioned and Mr. Serpa (Clovis) seconded adopt Resolution 2019-34 to submit Fresno COG's 2020 RTIP to the California Transportation Commission. The motion passed.

C. Regional Transportation Mitigation Fee Nexus Update (Les Beshears) [APPROVE]

Mr. Beshears (FCOG) reported that the Fresno County Transportation Authority levies the Regional Transportation Mitigation Fee countywide under the 2007 Measure C extension ballot and implemented by Fresno COG per the Fresno County Regional Transportation Mitigation Fee agency. Fresno COG is performing a statutorily required update to the program that could change the fee structure. WSP (formerly Parsons Brinkerhoff) is providing the technical expertise for this update.

Both FCTA and the Mitigation Fee Agency must adopt the update by January 1, 2020, to continue the fee. To meet that deadline, the first committee meeting was convened on January 17, 2019, to give the consultant direction. A subcommittee meeting was convened on July 3, 2019, to review WSP's initial recommendations, which were conveyed to the Board in September. A follow-up subcommittee was held on October 3, 2019, to finalize the recommendations.

The draft report was circulated through Fresno COG's Policy Advisory Committee (PAC) and the Board in October 2019. During the PAC meeting, the City of Reedley objected to the proposed increase on the basis it placed an unnecessary burden on development in Reedley.

Consistent with the requirements of Section 66019 of the California Government Code, staff provided notice of this proposed action to interested parties by regular mail on November 1, 2019, and to the public by published notice in the Fresno Bee. Furthermore, the nexus study was available for public review at Fresno COG's office at 2035 Tulare Street, Suite 201, Fresno CA 93721 at least 15 days prior to the hearing.

The first recommendation was to extend the planning horizon for the fee program to 2035 to be consistent with Fresno COG's normal planning horizon, as well as the legal and financial environment under which the mitigation fees exist. By expanding the planning horizon, early development is not unnecessarily burdened by high project costs that will benefit future development.

The second recommendation is to use Synchro software for intersection-specific analysis and to include the City of Fresno's estimates for the South Industrial Priority Area instead of land use assumptions in Fresno COG's Sustainable Communities Strategy. Fresno COG's traffic model is not designed to perform intersection-specific analysis, and Synchro is a standard engineering tool for most common traffic analysis situations. This recommendation makes the State Route 99 North/Cedar interchange eligible for the fee calculation.

The third recommendation is to continue using ITE floor-space ratios. The ITE method has been standard industry practice and is consistent with the original nexus and 2015 update.

Including SR99 North/Cedar in the fee calculation increases eligible project costs 40 percent; however, the average fee increases 34 percent because the composition of various fee categories has changed and trip generation varies among categories. The residential rate goes up \$481 from \$1,637 to \$2,118, which is significantly lower than the five other mitigation fees levied in the San Joaquin Valley.

After an opportunity for public comment, Mr. Schaad (Fresno City) motioned and Mr. Serpa (Clovis) seconded adopt RTMF Resolution 2019-01 updating the Regional Transportation Mitigation Fee Nexus. Members Reedley and San Joaquin voted no. The motion passed.

III. ADMINISTRATIVE CONSENT ITEMS

A. Monthly Legislative Report (Trai Her-Cole) [INFORMATION]

After an opportunity for public comment, Ms. Zieba (Reedley) motioned and Mr. Serpa (Clovis) seconded to approve the consent agenda as presented. The motion passed.

IV. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Cyber Security Contract with AMS.net (Robert Phipps) [APPROVE]

Mr. Phipps (FCOG) reported that in response to the data breach that occurred with our Fresno COG server on September 2019, Fresno COG staff have been working closely with the City of Fresno Cyber Security team to identify the best strategies/practices to secure Fresno COG's IT system moving forward. While financial, modeling and GIS files were largely unaffected by the data breach, it nevertheless resulted in a catastrophic loss of data to the agency. A multitude of plans, reports, studies, memos, correspondence, and particularly public outreach-related files, were encrypted in the attack beyond staff's ability to retrieve it.

Under our existing system, the City of Fresno supplies the fiber optic cable infrastructure and service for Fresno COG's primary internet connection, which also feeds its telephone lines. Because of the network's continued vulnerability, the City has disconnected Fresno COG and will not reconnect the office until considerably more stringent, multi-level security measures are firmly in place. With this in mind, at the request of City of Fresno IT officials, Fresno COG has been meeting with AMS.net, a cyber-security and technology solution specialty firm, to establish a multi-layered program that will include at least two firewalls, an industry-leading enterprise network security system and anti-virus/malware software program from Cisco, as well as new servers and potentially other hardware and software purchases.

The installation process is expected to be similar to that of a completely new IT system, complete with subscriptions to cloud-based Office 365 for staff. The total cost of the turn-key operation is expected to range somewhere between \$131,000 and \$150,000.

By the November 21 Board meeting, staff expects to request formal contract approval with AMS.net for all work associated with the reinstallation. Due to ongoing security concerns and the critical need to secure the IT system as soon as possible, Fresno COG staff will be requesting that the Policy Board waive its standard policy for soliciting proposals and make a finding that it is in the best interest of the Fresno COG to approve the sole source contract with AMS.net.

After an opportunity for public comment, Mr. Schaad (Fresno City) motioned and Ms. Zieba (Reedley) seconded approve a sole-source contract with AMS.net for an amount to be determined by the November 21, 2019 Board meeting. The motion passed.

V. OTHER ITEMS

A. Items from Staff

There were no items from staff.

B. Items from Members

There were no items from members.

VI. PUBLIC PRESENTATIONS

A. Public Presentations

There were no public presentations

The meeting was adjourned at 11:02 a.m.

Respectfully submitted,



Tony Boren

Public

Staff:

Les Beshears
Robert Phipps
Seth Scott
Jennifer Soliz
Meg Prince
Trai Her-Cole
Braden Duran
Moses Stites
Janelle Del Campo
Stephanie Maxwell